S.B. Criminal Misc. II Bail Application No.4717/2006

Date : 19.10.2006

HON'BLE MR.SATYA PRAKASH PATHAK, J.

Mr. M.K. Garg for the applicant.

Mr. V.R. Mehta, Public Prosecutor.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

This is second bail application. Learned counsel submits that earlier bail application was rejected by this Court while granting liberty to move fresh application after statements of Veer Singh and witness of recovery are recorded. He further submits that statements of above witnesses have been recorded and it is a case where the applicant was not present at the place of occurrence and only on the basis of Section 120B IPC, the applicant has been involved in this case, therefore, the applicant may be enlarged on bail.

On the other hand, learned Public Prosecutor has opposed the bail application.

I have considered the submissions made before me and perused the statements of the witnesses recorded in the case.

Without expressing any opinion on the merit of the case while taking into consideration the overall facts and circumstances of the present case, I think it just and proper to enlarge the accused applicant on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that applicant Katar Singh S/o Kundan Singh shall be released on bail in FIR No. 209/2006 P.S. Hanumangarh Town, provided he executes a personal bond in the sum of Rs.30,000/- with two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(SATYA PRAKASH PATHAK), J.

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